

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

R.A. JR. (a minor child, by and through his)	
Father and next friend, Richard Lemmel)	
Arnold),)	
)	
Plaintiff,)	
v.)	Case No.: CV-3:06-cv-337-WHA
)	
DEPUTY SHERIFF WALTER LACEY,)	
In his official and individual capacity,)	
)	
Defendant.)	

REPORT OF THE PARTIES PLANNING MEETING

1. Pursuant to Federal Rule of Civil Procedure 26(f) a meeting was held on August 8, 2006 through 11, via telephone and later by e-mail transmission and was attended by:

Arlene M. Richardson, for the Plaintiff, R.A. Jr.

C. Winston Sheehan, Jr. for the Defendant, Deputy Walter Lacey

2. **PRE-DISCOVERY DISCLOSURES.**

The parties will exchange by August 31, 2006 the information required by FRCP Rule 26(a)(1).

3. **DISCOVERY PLAN.**

The parties jointly propose to the court the following discovery plan:

A. **Discovery will be needed on the following subjects:**

- 1) The claims of the Plaintiff;
- 2) The defendant's defenses.

Disclosure or discovery of electronically stored information should be handled as follows:

i) Both parties agree that they will submit electronically stored information in a form useful by the other party. If data is stored in specialized software or programs the party retaining such information agrees to convert the information into a format which the other party can use or to reproduce the information into paper form.

B. All discovery commenced in time to be completed by April 9, 2007.

C. A maximum of 25 interrogatories by each party to any other party will be given. Responses will be due no later than 30 days after service.

D. A maximum of 25 requests for production to any other party will be given. Responses will be due no later than 30 days after service.

E. A maximum of 25 requests for admissions to any other party will be given. Responses will be due no later than 30 days after service.

F. A maximum of 10 depositions by plaintiffs and 10 depositions by defendants will be taken, unless the limit is extended by agreement of the parties. Each deposition will be limited to a maximum of 6 hours unless extended by agreement of the parties.

G. Reports from retained experts under Rule 26(a) (2) are due from

Plaintiffs by December 8, 2006.

Defendants by January 8, 2007.

H. Supplementations under Rule 26(e) are due within 14 days after being attained by any party and no later than 30 days prior to trial.

4. **OTHER ITEMS.**

The parties *do not* request a conference with the court before entry of the entry of the scheduling order.

The parties request a pretrial conference in March 2007.

Plaintiffs should be allowed until October 20, 2006 to join additional parties and to amend the pleadings.

Defendants should be allowed until November 20, 2006 to join additional parties and to amend the pleadings.

All potentially dispositive motions should be filed by January 8, 2007.

Settlement cannot be evaluated prior to February 13, 2007 at which time settlement may be enhanced by the use of the following alternative dispute resolution procedure:
Mediation with a magistrate judge or other mediator as may be agreed upon by the parties.

Final Lists of witnesses and exhibits under Rule 26(a)(3) should be due from:
Plaintiffs by April 16, 2007.
Defendants by April 16, 2007.

Parties shall have 10 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

The case should be ready for trial by May 7, 2007 and will take approximately 3 days.

Submitted on behalf of all the parties this the 15th day of August 2007.

/s/ Arlene M. Richardson

Arlene M. Richardson, Attorney for the Plaintiff
ASB 9452-I60A

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/s/ C. Winston Sheehan, Jr.

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